

**Newport Chemical Depot
Newport, Indiana
IN1210022272**

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II. GENERAL FACILITY CONDITIONS

- A. **DESIGN AND OPERATION OF FACILITY** The Permittee shall maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, ground water or surface water which could threaten human health or the environment.
- B. **GENERAL WASTE ANALYSIS** The Permittee shall comply with the procedures described in the attached Waste Analysis Plans, Attachments C1 and C2, which are incorporated herein by reference.
- C. **SECURITY** The Permittee shall comply with the security provisions of 329 IAC 3.1-9 and 40 CFR 264.14(b) and (c) as described in the Procedures to Prevent Hazards, Attachments F1 and F2, which are incorporated herein by reference.
- D. **GENERAL INSPECTION REQUIREMENTS** The Permittee shall follow the inspection schedule in the Procedures to Prevent Hazards, Attachments F1 and F2. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by 329 IAC 3.1-9 and 40 CFR 264.15(c). Records of inspections shall be kept as required by 329 IAC 3.1-9 and 40 CFR 264.15(d).
- E. **PERSONNEL TRAINING** The Permittee shall conduct personnel training as required by 329 IAC 3.1-9 and 40 CFR 264.16. This training program shall follow the attached outline in the Personnel Training Plans, Attachments H1 and H2, which is incorporated herein by reference. The Permittee shall maintain training documents and records as required by 329 IAC 3.1-9 and 40 CFR 264.16(d) and (e).
- F. **GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE** The Permittee shall comply with the requirements of 329 IAC 3.1-9 and 40 CFR 264.17.
- G. **PREPAREDNESS AND PREVENTION**
 - 1. **Required Equipment.** The Permittee shall equip the facility with the equipment set forth in the attached Contingency Plans, Attachments G1 and G2, which are incorporated herein by reference, and as required by 329 IAC 3.1-9 and 40 CFR 264.32.
 - 2. **Testing and Maintenance of Equipment.** The Permittee shall test and maintain the equipment specified in Attachments G1 and G2, (see the previous permit condition) as necessary to assure its proper operation in time of emergency. Such testing and maintenance activities are set forth in the inspection schedules in Attachments F1 and F2.

3. Access to Communications or Alarm System. The Permittee shall maintain access to the communications or alarm systems as required by 329 IAC 3.1-9 and 40 CFR 264.34.
4. Required Aisle Space. The Permittee shall maintain aisle space as required by 329 IAC 3.1-9 and 40 CFR 264.35.
5. Arrangements with Local Authorities. The Permittee shall attempt to make arrangements with State and local authorities as required by 329 IAC 3.1-9 and 40 CFR 264.37. If State or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record.

H. CONTINGENCY PLAN

1. Implementation of Plan. The Permittee shall immediately comply with the provisions of the Contingency Plans, Attachments G1 and G2, and follow the emergency procedures described by 329 IAC 3.1-9-2(3) and (4) and 40 CFR 264.56 whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which threatens or could threaten human health or the environment.
2. Copies of Plan. The Permittee shall comply with the requirements of 329 IAC 3.1-9 and 40 CFR 264.53.
3. Amendments to Plan. The Permittee shall review and immediately amend, if necessary, the Contingency Plans, as required by 329 IAC 3.1-9 and 40 CFR 264.54.
4. Emergency-Coordinator. The Permittee shall comply with the requirements of 329 IAC 3.1-9 and 40 CFR 264.55, concerning the Emergency Coordinator.

I. MANIFEST SYSTEM The Permittee shall comply with the manifest requirements of 329 IAC 3.1-9, 40 CFR 264.71, 264.72, and 264.76.

J. RECORD KEEPING AND REPORTING In addition to the record keeping and reporting requirements specified elsewhere in this Permit, the Permittee shall comply with the following record keeping and reporting requirements:

1. Operating Record. The Permittee shall maintain a written operating record at the facility in accordance with 329 IAC 3.1-9 and 40 CFR 264.73.
2. Sampling and Analysis Records. The Permittee shall keep original or exact copies of all sampling and analysis records, including results for in-process field tests during waste treatment. These records shall be kept in an orderly manner and available for inspection, in accordance with 329 IAC 3.1-9 and 40 CFR 264.74.
3. Biennial Report. The Permittee shall comply with the biennial report requirements of 329 IAC 3.1-9 and 40 CFR 264.75.

K. CLOSURE

1. Performance Standard. The Permittee shall close the facility as required by 329 IAC 3.1-9 and 40 CFR 264.111 and in accordance with the Closure Plans, Attachments I1 and I2, which are incorporated herein by reference.
2. Amendment to Closure Plan. The Permittee shall amend the Closure Plans in accordance with 329 IAC 3.1-9 and 40 CFR 264.112(c) whenever necessary, and whenever requested by the Commissioner in accordance with 40 CFR 264.112(c)(4).
3. Notification of Closure. Pursuant to 329 IAC 3.1-9 and 40 CFR 264.112(d) the Permittee shall notify the Commissioner in writing at least forty-five (45) days prior to the date on which he expects to begin final closure of a facility with only container storage.
4. Time Allowed for Closure. After receiving and/or processing the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste in accordance with the schedule specified in the Closure Plans, Attachments I1 and I2. After receiving the final volume of hazardous waste, the Permittee shall complete closure activities in accordance with the schedule specified in the Closure Plans.
5. Disposal and/or Decontamination of Equipment. When closure is completed, the Permittee shall decontaminate and/or dispose of all facility equipment contaminated with hazardous waste as required by 329 IAC 3.1-9, 40 CFR 264.114 and the Closure Plans, Attachments I1 and I2.

6. Certification of Closure. When closure is completed, the Permittee and an independent registered professional engineer shall certify to the Commissioner that the facility has been closed in accordance with the specifications in the Closure Plans as required by 329 IAC 3.1-9 and 40 CFR 264.115.

2. The Permittee may store a total maximum volume of 1,100 gallons (20-55 gallon drums) of the allowable hazardous wastes, identified in Attachment C2, in the UB-TMA as subject to the terms of this permit.
 3. The Permittee may store a total maximum volume of 15,400 gallons (280-55 gallon drums) of the allowable hazardous wastes, identified in Attachment C2, in each of the container storage igloos as subject to the terms of this permit.
 4. The Permittee is prohibited from storing hazardous waste in the permitted container storage areas that is not identified in Permit Condition III.A.1 and/or Attachment C2.
- B. UNIT LOCATION Container handling and storage facilities are located in Building 729A and at NECDF as shown in the site plan in Attachment B.
- C. CONDITION OF CONTAINERS If a container holding hazardous waste is not in good condition (e.g., appreciable rusting, visually apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition or otherwise manage the waste in compliance with the conditions of this permit. (329 IAC 3.1-9 and 40 CFR 264.171)

- D. COMPATIBILITY OF WASTE WITH CONTAINERS The Permittee shall assure that the ability of the container to contain the waste is not impaired as required by 329 IAC 3.1-9 and 40 CFR 264.172.
- E. MANAGEMENT OF CONTAINERS
1. The Permittee shall manage containers as follows as required by 329 IAC 3.1-9 and 40 CFR 264.173.
 - (a) A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.
 - (b) A container holding hazardous waste must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak.
 - (c) Containers of thirty (30) gallons or more must be stored so that they can be inspected for leaks and for deterioration caused by corrosion or other factors, without having to move the containers during the inspection and must have adequate aisle space between pallet rows (approximately two and one-half feet (2 1/2) to facilitate inspection).
 2. Containerized waste being transferred from one permitted unit to another (such as from container storage to tank storage) shall remain outside of permitted units only for the minimum time necessary to move the containers and transfer the waste. In no instance shall this transfer period exceed 8 hours.
- F. CONTAINMENT The Permittee shall construct, operate, and maintain the containment system in accordance with the requirements of 329 IAC 3.1-9 and 40 CFR 264.175 as specified in Attachments D1 and D2, which is incorporated herein by reference.
- G. INSPECTION The Permittee shall inspect the container storage areas at least weekly, to detect leaking containers and deterioration of containers and the containment system, caused by corrosion or other factors, as required by 329 IAC 3.1-9 and 40 CFR 264.174.
- H. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE The Permittee shall not locate containers holding ignitable or reactive waste within fifteen (15) meters (fifty (50) feet) of the facility's property line, as required by 329 IAC 3.1-9 and 40 CFR 264.176.
- I. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTE

1. Prior to placing incompatible waste or incompatible waste and materials in the same container, the Permittee shall comply with 329 IAC 3.1-9 and 40 CFR 264.17(b) as specified in Attachments D1 and D2.
2. The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or materials.
3. The Permittee shall separate containers of incompatible wastes as indicated in Attachments D1 and D2, as required by 329 IAC 3.1-9 and 40 CFR 264.177(c).

J. CLOSURE REQUIREMENTS

1. At closure, all hazardous waste and hazardous waste residues must be removed from the containment system. Remaining containers, liners, bases, and soil containing or contaminated with hazardous waste or hazardous waste residues must be decontaminated or removed, as required by 329 IAC 3.1-9 and 40 CFR 264.178, and in accordance with the Closure Plans contained in Attachment I1 and I2.
2. At closure, as throughout the operating period, unless the Permittee can demonstrate in accordance with 329 IAC 3.1-9 and 40 CFR 261.3(d) that the solid waste removed from the containment system is not a hazardous waste, the Permittee becomes a generator of hazardous waste and must manage it in accordance with all applicable requirements of 329 IAC 3.1 and 40 CFR 262 through 266. (329 IAC 3.1-9 and 40 CFR 264.178)
3. Upon certification by the owner/operator and an independent registered professional engineer that part or all of the storage facility has been properly closed, those provisions of this permit which allow for the continued operation of the closed portion of the facility are terminated. The amount of wastes allowed to be stored is reduced to reflect the partial closure of this facility. Waste types which were only authorized for storage at the closed portion of the facility are deleted from this permit.

3. For restricted wastes with treatment standards expressed as concentrations in the waste, as specified in 40 CFR 268.43, the Permittee shall test the treatment residues (not an extract of such residues) to assure that the treatment residues meet the applicable treatment standards of 40 CFR 264.13.
4. The Permittee shall comply with all the applicable notification, certification, and record keeping requirements described in 40 CFR 268.7(a) and (b).

C. STORAGE PROHIBITIONS

1. The Permittee shall comply with all the applicable prohibitions on storage of restricted wastes specified in 40 CFR Part 268, Subpart E.
2. Except as otherwise provided in 40 CFR 268.50, the Permittee may store restricted wastes in containers solely for the purpose of the accumulation of such quantities of hazardous wastes as necessary to facilitate proper recovery, treatment, or disposal provided that:
 - a. Each container is clearly marked to identify its contents and the date each period of accumulation begins.
3. The Permittee may store restricted wastes beyond 1 year; however, the Permittee bears the burden of proving that such storage was solely for the purpose of accumulating such quantities of hazardous as are necessary to facilitate proper recovery, treatment or disposal.
4. The Permittee shall not store any liquid hazardous waste containing polychlorinated biphenyls (PCBs) at concentrations greater than or equal to 50 ppm unless the waste is stored in a storage facility that meets the requirements of 40 CFR 761.65(b). This waste must be removed from storage and treated or disposed as required by 40 CFR Part 268 within 1 year of the date when such wastes are first put into storage. Condition VIII.C.4, which allows storage for over 1 year with specified demonstration, does not apply to PCB waste prohibited under 40 CFR 268.32.

VIII. COMPLIANCE SCHEDULE CONDITIONS

- A. Table 1 and Appendix 1 of Attachment F2 must be revised to include information concerning the weekly inspection of safety and emergency equipment. The revised documents must be submitted to IDEM within forty-five (45) days of receipt of the permit modification issued June 17, 2003.
- B. Appendix 4 of Attachment H2 must be revised to include the training requirements for "Waste Handling Technicians". The revised Appendix 4 must be submitted to IDEM within forty-five (45) days of receipt of the permit modification issued June 17, 2003.
- C. Appendix 1 of Attachment F2 must be revised to create separate inspection checklists for items subject RCRA permit standards under 40 CFR 264 (i.e., >90 day storage units, emergency and safety equipment) from other RCRA regulated units not subject to regulation under 40 CFR 264 (<less than 90 day storage units, satellite accumulation areas). Appendix 1 must also clearly identify inspection items not subject to RCRA regulations. The revised Appendix 1 must be submitted to IDEM within forty-five (45) days of receipt of the permit modification issued June 17, 2003